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Date: 8/4/2009 8:20 AM
Subject: Emery Subsidence report
Attachments: Emery Subsidence 06-2009.pdf

Attached please find the monthly subsidence report for the Emery Mine.

Regards,
- Ian

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Consolidation Coal Emery Mine Subsidence Report for June 2009

6-16-09

12th West – Check on subsidence of County Road. Still no hazard at this time. No new cracks. Farmer irrigating allows no chance to check for cracks. JJ

7th West – Was able to GPS subsidence points as well as pictures. Cracks are ranging from ½” to almost 2½” wide. Used ball cap in pictures for scale 7.375” wide cap. JJ

6th West- Still checking. I am doing quarterly subsidence over this area to see if it is still moving this week with a registered surveyor. JJ



7th West Subsidence crack



7th West Subsidence crack

6-23-09

12th West – County Road department is fixing damaged road and there are no new subsidence cracks. JJ

7th West – GPS points and pictures ranging from 0.25" to 1". Used ball cap to scale 7.375" wide and size 10 shoe. Cracks following 7th West panel. JJ

6th West – Did quarterly check and none of the points over the panel have moved 0.10 of a foot. No need to check anymore. JJ



7th West Subsidence crack



7th West Subsidence crack

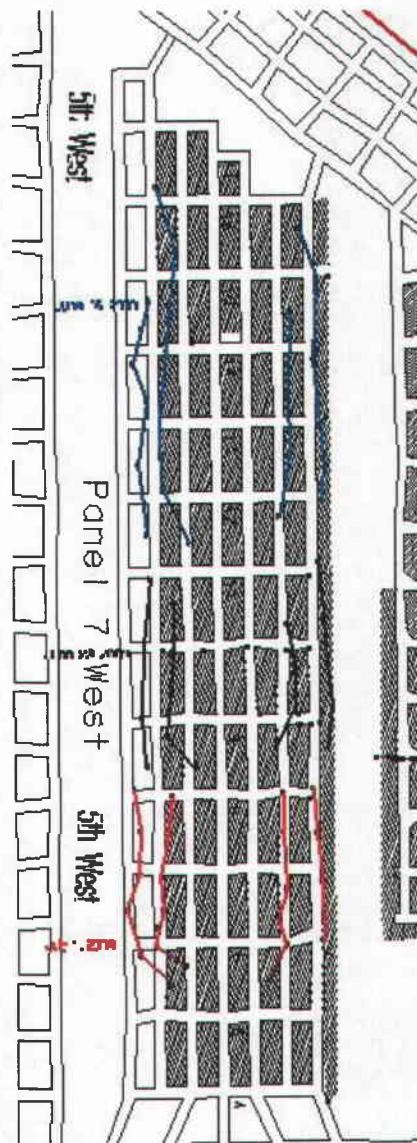
6-30-09

12th West – County Road is fixed. No new cracks have formed on road. Walked around the panel to see if any new cracks have formed and none have and the old ones have weathered a little. JJ

7th West – Took pictures of new cracks used hat for scale. Cracks are ranging 0.5" to 1". Also GPS points. Subsidence is following 7th West section. JJ



7th West Subsidence Cracks



7th West GPS Subsidence Points

- 7-7-09 7th West – Subsidence is continuing down the panel some cracks are large, ranging 1 to 3 inches in areas that used for scale 7.375 wide hat and shoe. Old cracks are not changing as far as I can see but this weeks cracks are much longer than last one. JJ
- 7-13-09 7th West – Has started cracking down on County Road. Very large cracks ranging 1 to 4 inches. Road has subsided and cracks may be to large to be filled. JJ
- 7-14-09 7th West – Daily check of County Road. Road has subsided much more. Cracks are larger and need to be filled. JJ
- 7-15-09 7th West – Daily Check of County Road. Road does not seem any worse. Still needs to be filled. JJ

Below is a summary of the flow data from SP-10 collected by Karla Knoop, from JBR
Environmental.

Consol Emery Mine

Panel 14th West

Bryant No. 1

Flow Measurements made at dam breach

| Date | Flow (gpm) |
|------------|---|
| 6/13/2007 | 77 |
| 7/24/2007 | 52 |
| 8/28/2007 | 75 |
| 9/20/2007 | 69 |
| 10/19/2007 | 59 |
| 11/15/2007 | 54 |
| 12/17/2007 | frozen |
| 1/15/2008 | Flowing under, over & through ice/snow; can't measure, but flow appears to be similar to the November flow rate. |
| 2/26/2008 | 67 |
| 3/21/2008 | 90 |
| 4/24/2008 | 35 |
| 5/22/2008 | 255 |
| 6/25/2008 | 230 |
| 7/16/2008 | 355 |
| 8/14/2008 | 275 |
| 9/10/2008 | 190 |
| 10/21/2008 | 117 |
| 11/19/2008 | 48 |
| 12/11/2008 | 56 |
| 1/21/2009 | 34 |
| 2/26/2008 | 23 |
| 3/10/2009 | 29 |
| 4/20/2009 | 12 |
| 5/13/2009 | 10 |
| 6/16/2009 | 235 |
| 7/27/2009 | 345 |